

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:05CR23

UNITED STATES OF AMERICA )  
                                  )  
                                  )  
                                  )  
VS.                           )                          ORDER  
                                  )  
                                  )  
DEBORAH REID HENDRIX )  
                                  )  
\_\_\_\_\_

**THIS MATTER** is before the Court on the Defendant's motion to reduce her term of imprisonment due to "extraordinary and compelling reasons" pursuant to "18 U.S.C. 3553(A) and (B)."<sup>1</sup> The motion is denied.

Defendant asks the Court to modify or otherwise reduce her term of imprisonment to one of home confinement. However, the Court may not "modify a term of imprisonment once it has been imposed except . . . upon motion of the Director of the Bureau of Prisons [if the Court finds] extraordinary and compelling reasons warrant such a reduction[.]" 18 U.S.C. § 3582(c)(1)(A). Because the Director has not moved on Defendant's behalf, the Court is without jurisdiction to modify her sentence.

---

<sup>1</sup> The correct statute for this motion is 18 U.S.C. § 3582(c).

**IT IS, THEREFORE, ORDERED** that the Defendant's motion to reduce her sentence or otherwise modify her sentence is hereby **DENIED**.

Signed: August 27, 2009



Lacy H. Thornburg  
United States District Judge

